

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GREGORY GARRETT BROWN	:	CIVIL ACTION
	:	
v.	:	NO. 04-CV-95 E
	:	
SUE HERBSTRETT	:	

AFFIDAVIT

I, Major Alan Copeland, am the Deputy Warden of Security/Safety at Erie County Prison and I do hereby swear and affirm that the statements made below are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

I am familiar with the Erie County Department of Corrections' administrative grievance procedure, which is set forth in Erie County Department of Corrections Inmate Grievance Procedure Policy 510-01.

Prior to utilizing the grievance system, Erie County prisoners are required to attempt to solve problems on an informal basis through their housing unit staff. If the problem can not be resolved informally, the inmate may file a standard written grievance within fifteen (15) days after the potentially grievable event has occurred. Policy 510-01, C-1(a).

Within twenty (20) days after filing the grievance (or less, if required in emergency situations only), every grievant shall receive a written response to his or her grievance. Policy 501-01(E)(1).

If after being responded to by the Inmate Services Coordinator or staff member and/or a Deputy Warden, the inmate is not satisfied, he or she may appeal within five (5) working days to the

Herbstritt." In April 2004, Mr. Brown threatened to cut Nurse Herbstritt's throat. Mr. Brown was brought up on criminal charges regarding the same.

If called to testify in this matter, my testimony will be consistent with this Affidavit.

Major Alan Copeland

Major Alan Copeland,
Deputy Warden of Security/Safety at
Erie County Prison

DATED: 5/24/05

Sworn to and subscribed before me

this 24 day of May, 2005

Bernice N. Smith
NOTARY

